



National Transportation Safety Board

Washington, D.C. 20594

Office of Marine Safety

**THE FOLLOWING DOCUMENT IS A SUMMARY OF THE UNITED STATES
DEPARTMENT OF JUSTICE DEPOSITION OF MR. ZONG BIN LI, TAKEN FROM
OCTOBER 30, 2008, TO NOVEMBER 7, 2008, PURSUANT TO RULE 15, FEDERAL
RULES OF CRIMINAL PROCEDURE.**

**FOR PROCEDURAL AND EVIDENTIARY REASONS, TO INCLUDE PROTECTING
THE INTEGRITY OF THE CRIMINAL PROSECUTION, THE JUDICIAL PROCESS,
AND THE RIGHTS OF THE INDIVIDUAL DEFENDANTS AND MATERIAL
WITNESSES, THE TRANSCRIPT OF THE DEPOSITION WILL NOT BE
REPRODUCED IN THE NTSB's PUBLIC DOCKET UNTIL A DETERMINATION IS
MADE BY THE OFFICE OF GENERAL COUNSEL THAT ALL CRIMINAL
LITIGATION RELATED TO THIS MATTER HAS CONCLUDED, OR IN THE
ALTERNATIVE, THE PARTIES TO THOSE PROCEEDINGS HAVE CONSENTED TO
PUBLIC RELEASE.**

Date: October 30, 2008

Place: San Francisco

SUMMARY OF RELEVANT INFORMATION

- Lives in Nanyang City in Henan Province, China
- Serves as a Seaman
- Has STCW certificates issued from China Seafarers Bureau in Tianjin for completion of Basic Safety and Life-saving training
- Holds a Certificate of Competency, passport and Certificate of Health issued by Government of China as an Able Bodied (AB) Seaman and a Seaman's Book from the Maritime Bureau
- Started sailing in 1997 under training as a Cadet
- Works through Zhonghai Manning Corporation under contract to Fleet Management Limited (FML) as "manager" of the *Cosco Busan*
- Paid 750 USD per month for his work and contract is for a period of 12 months of service on the vessel, and signed this contract on October 22, 2007, in Beijing, China
- Boarded the *Cosco Busan* on October 24, 2007, in Busan, Korea
- Traveled via train from Beijing, China to Wei Hai, Korea, with other crew members except the Master, then by ferry from Wei Hai to unknown port in Korea, with the other crew members and the Master, and then by bus to the *Cosco Busan* in Busan, Korea
- Train ride was over 10 hours in duration, ferry ride was about "seven or eight" hours in duration, and the bus ride was "several" hours long
- Arrived on the vessel sometime after dark, around 5:00 or 6:00 pm and immediately assumed "duties" or began working
- Worked until midnight on October 24, 2007, then went back to work at 0400 in the morning of October 25, 2007
- Attended a meeting in Beijing, China on October 22, 2007, in which the crewing agency met for "about an hour" with "all the crew members", except the Master, where the crew was informed of the management company, an introduction of the vessel and the intended voyage, covering generally what the port calls would be
- Briefly touched on some safety items at that meeting, but there was no discussion about Bridge Team Management and he can't recall if they discussed Safety Management System (SMS) items
- Didn't see any FML representatives at this meeting
- Second time in his career where he was hired as part of entire crew dispatched to take over the operation of a ship
- The first time was a vessel operated by "Vanguard", and he was working for the same crewing company (Zhonghai)
- During the first experience with Vanguard Company, the crew stayed in a hotel for two days, and only went to the ship during the work day to familiarize themselves with the work while the original crew were still on board
- Normally, he would have the opportunity to talk to the outgoing crew member he was replacing and he did this on the *Cosco Busan* with the outgoing AB for about

- 1 hour which he felt was sufficient
- Never worked with any of the fellow crew members previously
 - Participated in fire and lifesaving drill before the vessel left Busan, Korea, and these drills were conducted using English and he felt comfortable with understanding “simple orders”
 - Master did some interpretation of English to Chinese if crew needed it at these drills
 - Had “organized” training during the voyage from Busan, Korea to the United States, but doesn’t recall the details or topics of these sessions
 - Recalled participating in an “oil spill drill”, an “ISPS drill” and a “CO2 discharge” drill with the “superintendents” from FML, but had little interaction with them outside this training
 - There was no training on bridge organization, navigation equipment, bridge team management, ship’s helm or lookout procedures that he recalled from October 22, 2007, until the time the *Cosco Busan* struck the bridge
 - Attended a general “ISM issues” meeting called for by the Master where all crew members had to attend, but does not recall the specifics of the meeting held sometime from the October 22, 2007, until the time the *Cosco Busan* struck the bridge
 - Had the opportunity to browse through the “Shipboard Management Manual”, but not in detail, in which he could understand part of it, but couldn’t understand other parts of it
 - Understood an estimated “60 to 70 percent” of that document
 - English reading and speaking capability is oriented towards nautical terms, not terminology in the SMS manual
 - Would understand this manual, and other documents better if they were in Chinese
 - On November 7, 2007, he assumed duties at 0400 and was located at the gangway of the vessel while berthed in Oakland, and went to the bridge around 0600 where he remained until 0900
 - Mainly stays at the helm when working on the bridge, and no other station
 - Duties as a helmsman include operation of the helm, but under the guidance of a senior officer, he “would conduct some operations” such as acquiring a target on radar, checking speed of vessel, setting an Estimate Bearing Line (EBL) and act as a lookout
 - Did not operate or manipulate any controls on the radar on November 7, 2007
 - Learned about the functions of the radar on his own, prior to his service on the *Cosco Busan*
 - Master, pilot and Third Officer were on the navigation bridge of the vessel with him when he was there
 - Sole duty that date was to “operate the helm”
 - Hong Zhi Wang was the Third Officer
 - Mao Cai Sun was the Master
 - It was his opinion the Third Officer was the “officer on watch” when the vessel got underway that that morning
 - He would have taken a helm order from the Master, the pilot or the Third Officer, but it would be unusual for the Third Officer to give a helm order with the Master

and a Pilot on the navigation bridge

- No one on the navigation bridge had a specific assignment to act as a lookout
 - Familiar with normal helm commands and can properly execute them, whether given a course to steer or a rudder command
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Date: October 31, 2008

Place: San Francisco

SUMMARY OF RELEVANT INFORMATION

- Around 0654 on the November 7, 2007, departed navigation bridge and went to the "Superintendent's room" where he waited for about 5 minutes, then helped the Superintendent with his luggage to the gangway
 - Superintendent departed the vessel upon arrival at the gangway, where Li shook his hand and told him "bye"
 - No other conversation took place on the way to the gangway
 - Does not remember what the visibility was like at that time in the vicinity of the vessel's gangway
 - During the unmooring process, he went out on the port bridge wing per the Master's direction to watch for a vessel passing abeam
 - Thought the distance from the dock, across to the channel to the shore was about 200 meters in width
 - He could only see lights passing, and asked the Third Officer "are there two ships there?"
 - Around 0755, said "what a thick fog" when standing beside the Third Officer and made this comment because he felt the "weather condition was not good", specifically referring to the "visibility"
 - Did not have a discussion with anyone on the bridge about whether or not is appropriate to leave port
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Date: November 3, 2008

Place: San Francisco

SUMMARY OF RELEVANT INFORMATION

- Around 0801 on November 7, 2007, while standing near the helm of the *Cosco Busan* engaged in a conversation with the Third Officer about transiting through the Golden Gate bridge while the Master and the Pilot were out on the navigational bridge wing
- The *Cosco Busan* began to get underway from Oakland berth about that time
- Around 0805, he stated to the Third Officer that "other ships under such conditions don't set sail" and he made the statement because of the density of the fog
- By the statement above, he meant, "we'd better not set sail"
- Felt there was "100 meters" of visibility at that point while looking through the

- navigational bridge windows and forward, towards the bow
- Stated the Third Officer's estimate of visibility was even less
- Could not see mast on bow of vessel at that time
- Did not participate in any passage planning meeting prior to departure and did not discuss passage plan with Pilot, Master, (C/O) Officer, Second Officer or Third Officer
- Spent about "a minute" reviewing paper chart that morning on his own, and no one discussed the paper chart that he observed
- Would have preferred to wait until visibility was better to sail, but did not discuss this with anyone or express his concerns with anyone
- Pilot would give out orders, and orders would be repeated back to the pilot to ensure accuracy
- Pilot had ordered "zero eight seven", and he repeated "two eight seven" because either he heard the order wrong, and the pilot had misspoke and meant "two eight seven", and he wanted the Pilot to "confirm" order
- Could hear the vessel's fog horn while he was on the navigational bridge
- Around 0814, stated "the fog is even thicker now" to the Third Officer
- Somewhere in the transit, visibility had improve where he could see the mast at the bow, but not at the time he made the above statement
- Around 0823, executed an order from the Pilot for "port ten" rudder and verbally confirmed order by repeating it back, after approximately 1 minute and 20 seconds had passed, he stated "Rudder is port ten" because he felt he had been executing that order for some time and he felt it was a "relative long" period and "it's necessary for me to remind the Pilot"
- Doesn't recall where the Pilot was standing when that order was given or the Master was standing, but both were on the navigation bridge
- *Cosco Busan* has a speed greater than "Full Ahead", and that speed is known as "Sea Speed"
- When he got the "Hard Starboard" command from the Pilot around 0828, he felt that command was an "emergency situation" because you normally would not make such a turn at full speed
- The pilot's "Hard Starboard" command was properly executed by himself
- Master was on the navigation bridge at this time as well, but he doesn't remember where, and the Third Officer was on the navigation bridge as well
- Heard the Pilot ask, "This is the center of the bridge, right?" but doesn't know where the Pilot was standing or if he pointed to anything at that time
- Heard the Bosun report the bridge tower sighting to the navigation bridge via radio, but he didn't see the tower from his position at the helm
- After 14 seconds passed, he reminded the Pilot he was still executing a "Hard Starboard" rudder command he felt he had been on that helm order "for a relatively long period of time"
- Remembers following the Pilot's orders after that back through "Midship" and to "Hard Port"
- Around 0832, was not having difficulty steering the ship after the allision, but helm was not very responsive due to the slower speed at that time
- Around 0838, he recommended to the Master that the ship's internal communication system be used to contact the C/O since all attempts via the

- hand held radio had been unsuccessful at that point
- Stated FML was his employer while serving on the *Cosco Busan*
 - The agency that originally issued his Seaman's Book, the Tianjin Port Supervisory Agency, People's Republic of China, is now called the Maritime Safety Administration
 - Graduated High School at in Nanzhao County in Henan Province and then graduated from Nantong Maritime Academy in Jiangsu Province in March of 1997 as a Seaman
 - Worked previously on deck of the *Maritime Joy* where he called upon the Ports in Thailand and Sri Lanka
 - *Maritime Friendship*, and *Maritime Vision* were the next vessels he served on as an AB Seaman and helmsman
 - All positions were obtain via a crewing agency
 - Took commands on previous vessels from other Pilots and does not ever recall a Master countermanding a Pilot's orders
 - Next served on the *Alam Mesra* operated by a Malaysian company called "PCL" where he also acted as a helmsman
 - From the time he served on the *Maritime Vision*, forward, he didn't need or receive training on how to act as a helmsman since he understood the performance expectations of the position
 - Next served on the *Encouragement* serving as helmsman with two other ABs and the vessel called upon ports in Hong Kong, China and Japan and taking orders from Pilots was routine
 - Served on the *Halo Friends* as a helmsman calling upon Korea, Taiwan, United States, China and the Philippines where he frequently took commands from Pilots while entering and departing ports as the helmsman
 - All of the Pilot's commands at these other ports were given in English and he doesn't recall any Pilot providing any commands in another language
 - Seaman's Book documented training in Rescue Craft, Emergency Rescue at Sea, Survival at Sea and Fire-fighting
 - At the maritime academy he attended, training included navigational training
 - Trusted Pilot's to have local expertise and to be trained professionals
 - Felt he fully comprehended every order provided by the Pilot on November 7, 2007 and executed each one in a timely fashion and to the best of his ability, repeating back each order as was the common practice
 - If the Master or another officer doesn't object to the order of a Pilot, he would "believe what the Pilot commanded were correct"
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Date: November 7, 2008

Place: San Francisco

SUMMARY OF RELEVANT INFORMATION

- Doesn't wear eye glasses and doesn't use drugs
- Hasn't drunk any alcohol since arriving on the *Cosco Busan*
- The hiring in process he experienced with the *Cosco Busan* was common to the

- other hiring processes he has been through
- The process of conducting safety drills that occurred on board the *Cosco Busan* upon arrival is a common practice he has experienced before
 - Felt the Superintendent was available to him, "if it's a simple question, I could ask him directly"
 - Doesn't recall being on the helm when the vessel arrived from Long Beach, California, in Oakland, California on November 6, 2007
 - Stood at or near the helm when standing duty as a Helmsman
 - Observed that the Pilot moved around on the navigation bridge, the bridge wing and in front of the Electronic Chart Display on the morning of the incident
 - Does not need to review a passage plan to perform his duties as Helmsman
 - Steering on the ship during on November 7, 2007 was "normal"
 - When a Pilot is on board, it is common for the Pilot to give the Helmsman both rudder commands and course commands
 - Heard interaction between Pilot and VTS around 0636 discussing the visibility around Alcatraz and the Golden Gate Bridge, but at the time of the actual radio calls he did not "pay that much attention" since it did not "have any effect on me"
 - When he stated, "Other ships under such conditions don't set sail", he "meant in bad weather like this, some ports might not allow the ship to sail or they have some special measures or special orders"
 - From the point the vessel was at "two four five" heading which was repeated by to the pilot, and the time VTS reported the vessel's "heading" as two three five, the vessel had been on varying degrees of starboard rudder
 - When he reported "two four five" to the Pilot, the compass at that time indicated that was the heading of the vessel
 - The *Cosco Busan* was more difficult to steer at "Dead Slow Ahead"
 - Did not notice anything unusual about the Pilot, or the Pilot's interaction with the Master, or the length of time in which they interacted on November 7, 2007
 - Felt Pilot was not slurring his words and was not stumbling, but was "walking slowly"
 - Noticed the Pilot went to the head, "maybe a total of two or three times" that morning
 - Felt it was important to follow policy established by FML and would adhere to all policy which he was aware of
 - Just browsed through the FML SMS policy regarding position fixing since it was applicable to the Officer Of the Watch (OOV)
 - Never operated engine controls or "telegraph" on the day of the allision, and remembers most of the time is was operated by the Third Officer
 - Doesn't recall seeing the Master operate the speed control of the vessel

END OF SUMMARY

